

**CITY OF METHUEN
COMMUNITY DEVELOPMENT BOARD**

NOTICE OF DECISION - Site Plan Approval

501 & 600 Griffin Brook Drive

Case No: 2022-6
Date of Application: 04-06-2022
Date of Hearing: 05-11-2022, 06-08-2022
Date of Decision: 06-10-22

Petition of: Griffin Brook Owner LLC
55 Cambridge Street
Burlington, MA 01803

Premises Affected: 501 & 600 Griffin Brook Drive
Assessor's Map 220-165A-9D and 220-165A-9E
Limited Industrial (IL) Zoning District

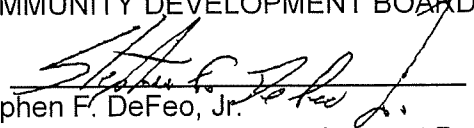
Referring to the above petition for Site Plan Approval from the requirements of Section XII of the City of Methuen Comprehensive Zoning Ordinance to allow the construction of **101,250 ± SF warehouse building, the reuse of the existing building, and associated site upgrades** in the Limited Industrial (IL) Zoning District.

At a public hearing held on May 11 and June 8, 2022, the Community Development Board voted **UNANIMOUSLY (5-0)** to **APPROVE WITH CONDITIONS** this Site Plan Approval.

This is to certify that the above action was taken in compliance with the statutory requirements as set forth in Chapter 40A of the General Laws, and that a copy of this decision was filed with the City Clerk on **June 10, 2022**.

CITY OF METHUEN
COMMUNITY DEVELOPMENT BOARD

by:


Stephen F. DeFeo, Jr.
Chairman, Community Development Board

Any appeal of this decision shall be made pursuant to the requirements of Massachusetts General Laws and shall be filed within twenty (20) days after the date the notice of decision was filed with the Methuen City Clerk.

I hereby certify that no appeal has been filed in the Methuen City Clerk's Office, within the twenty (20) day appeal period.

Anne J. Drouin, Methuen City Clerk

FINDINGS OF FACT:

Griffin Brook Owner LLC filed an application for Site Plan Approval on April 6, 2022. The applicant submitted a complete application, which was noticed and reviewed in accordance with Section XII Site Plan Approval of the City of Methuen Comprehensive Zoning Ordinance and MGL Chapter 40A, Section 9.

The Applicant proposes to develop the property located on two parcels at 501 & 600 Griffin Brook Drive to an allowed industrial use in the Limited Industrial Zoning District. The site consists of approximately 22.27 acres of land and has 212.15±feet of frontage along Griffin Brook Drive. The existing 59,917 ± SF building at 501 Griffin Brook Drive extends across the lot line to 600 Griffin Brook Drive. The developed areas consist of the existing building, paved driveways, parking areas, loading zones, and landscaped areas which consist of lawn and trees. The rear portion of the lot consists of undeveloped, wooded land.

The existing building is serviced by fire supply, domestic water, sanitary sewer, gas, electric, and communications. Stormwater is primarily managed by a closed drainage system consisting of catch basins, conveyance pipes and manholes. There are no apparent mitigation measures on the site. Under phase two of a phased development plan, the existing parking area will be improved with new stormwater best management practices and to minimize impervious surface area.

In the second phase of development, the Applicant proposes to construct a new 101,250± SF industrial warehouse building. Vehicular access will be provided by modifying the existing parking and driveways at 501 Griffin Brook Drive to accommodate new site driveways. Parking, loading, and utility infrastructure will also be constructed to support the new building.

The property is adjacent to Griffin Brook Drive and a developed industrial building to the south, by Hickory Hill Golf Course to the north and east, and by undeveloped industrially zoned land to the west.

The proposed new building received a variance for roof height from the Zoning Board of Appeals (ZBA) of February 23, 2022 and is currently under review by the Conservation Commission.

The project site is shown on a plan entitled: Site Development Plans, 501 & 600 Griffin Brook Drive, Methuen, Massachusetts (Assessor's Map 220, Lot 9D & 9E); prepared for Griffin Brook Drive Owner LLC; prepared by The Morin-Cameron Group, Inc.; dated April 6, 2022, rev. 05-20-2022, as may be further revised by this decision.

The public hearing was opened by the Community Development Board on May 11, 2022 and continued to June 8, 2022. Representatives from The Morin-

Cameron Group, Inc., GSD Associates, LLC, Radner Design Associates, Inc., and Bayside Engineering appeared on behalf of the Applicant.

The Community Development Board reviewed the Technical Report in Support of Site Plan Approval and the Traffic Impact and Access Study, The Board also reviewed the site plans including the lighting and landscape plans.

On June 8, 2022, on a motion by Mr. Comei and seconded by Ms. Plunkett the Board voted to close public hearing. Upon a motion by Mr. Comei seconded by Ms. Plunkett the Board voted unanimously (5-0) to GRANT Site Plan Approval with Conditions. Board members Stephen DeFeo, Michael Comei, Gisette Beshara, Neal Hunter, and Heather Plunkett were in attendance and voted.

This approval is granted subject to the accuracy of the information, reports and data presented. In the instance where the Board is of the belief that this material was inaccurate as presented or has subsequently become unreliable the Board may conduct a determination hearing to consider requiring further review or mandating current and reliable data and information for subsequent approval.

As required by the City of Methuen Comprehensive Zoning Ordinance Effective July 28, 2008 Section XII-C (3), based upon the applicant's testimony, plans submitted and information provided, the Community Development Board has determined that this project meets the requirements of this section.

SPECIAL CONDITIONS:

The Community Development Board finds that this project generally complies with the City of Methuen Zoning Ordinance requirements as listed in Section XII but requires conditions to be fully in compliance. The Community Development Board hereby grants an approval to the applicant provided the following conditions are met:

- 1) **Prior to the endorsement of the plans** by the Community Development Board, the Project Owner the final plans must be reviewed and approved for accuracy and conformance with the terms of this Approval by the City's Engineering Department, the City's Peer Review consultant (as may be required by the Board), and the Community Development Department. The final plans must be revised in accordance with comments received by the City of Methuen staff members and peer review agents.
 - a) The Fire Department must review and approve the proposed Emergency Access detail to confirm that it is adequate for their needs.
 - b) Sheet C-8 must depict a gate valve with the fire hydrant.

2) Prior to the start of any site work and Building Permit issuance:

- a) The Community Development Board must endorse the final site plan mylars and a copy of the signed, recorded plans must be delivered to the Community Development Office.
- b) One certified copy of the recorded decision must be submitted to the Community Development Office.
- c) A bond in the amount of **five thousand (\$5,000) dollars** shall be posted for the purpose of insuring that the site is constructed in accordance with the approved plan and that a final as-built plan is provided showing the location of all on-site structures.
- d) Prior to any construction activity of any kind associated with the project, the Project Owner shall submit to the Community Development Department a proposed phased construction sequence schedule (timetable/bar chart), said schedule to be used as a guide to activities within the development including construction of roadways, utilities, drainage system, stabilization, earth removal and stockpiling. This schedule once established shall not be deviated from and may only be modified by agreement between the Project Owner and the Community Development Department.
 - i) The construction sequence must identify the methods of constructing the rock slopes and boulder walls.
- e) A pre-construction meeting must be held with the developer, their construction employees, Community Development Department, and other applicable departments to discuss scheduling of inspections to be conducted on the project and the construction schedule.
- f) The Project Owner will provide supervisory contact personnel along with emergency telephone numbers that are answered on a 24-hour basis (answering machines or voice mail are not acceptable).
- g) A **Construction Monitor may be required and** will be designated by the Community Development Board to inspect the site on a regular basis to ensure conformance with the approved plans. A schedule for inspection will be determined at the preconstruction meeting and created based upon the phased construction sequence schedule.
- h) The Applicant must provide documentation demonstrating each of the two sewer pumping stations on Griffin Brook drive have sufficient capacity to support the proposed project. (TEC 21/Eng). Note that failure to address this issue will prevent approval of a sewer connection permit which will in turn prevent approval of a building permit.

- i) Soil testing must be provided within the footprint of Pond 2, in accordance with Mass DEP Stormwater Manual for review and approval by the Engineering Department or peer review consultant.

3) During Construction:

- a) Construction activities on the site shall conform to the City of Methuen's Ordinances relating to such work.
- b) Construction activities shall be conducted in a workmanlike manner at all times. Blowing dust or debris shall be controlled by the Applicant through stabilization, wetting down, or other proper storage and disposal methods.
- c) It shall be the responsibility of the Applicant to assure that no erosion from the construction site shall occur which will cause deposition of soil or sediment upon adjacent properties or public ways, except as normally ancillary to off-site construction. Off-site erosion will be a basis for the Community Development Board making a finding that the project is not in compliance with the plan; provided however, that the Community Development Board shall give the Applicant written notice of any such finding and ten days to cure said condition.

4) Prior to the Issuance of the Certificate of Occupancy:

- a) The Project Owner must submit a letter from the engineer of the project stating that the building, landscaping, lighting, and site layout substantially comply with the plans referenced in this decision as endorsed by the Community Development Board.
- b) A final as-built plan showing final topography, the location of all on-site utilities, structures, curb cuts, parking spaces and drainage facilities, including invert elevation of all storm water structures shall be submitted to the Community Development Department and the Engineering Department for review and approval.
- c) If all site related issues, including landscaping, have not been completed at the time the building itself is ready for occupancy, the Community Development Board may authorize the Project Owner to post a security sufficient in the opinion of the Community Development Board, to cover the cost of the City of completing the remaining site items.
- d) The Applicant must assign a transportation coordinator to coordinate and promote Transportation Demand Management (TDM) as per the TIAS.

- 5) Prior to the final release of all funds:** The Community Development Board must, by majority vote, make finding that the site is in conformance with the approved plan and decision.

6) Other Conditions:

- a) MassDOT District 4 reviewed the request for determination and determined that, based on the trip generation in the traffic study provided, the traffic impact is not substantial. As long as the Land Use Code for this development doesn't change no access permit will be required. Note that Land Use Code (LUC) 150 – Warehousing was used for this review. This Land Use Code is appropriate for most warehouses except for warehouse and distribution centers. **If there is a distribution aspect to this facility the trip generation should be revisited and a new request for determination requested.**
 - b) The site must comply with Section 9-62 of the Municipal Code, Noise Pollution Control Ordinance of the City of Methuen.
 - c) To reduce noise levels the Project Owner shall keep in optimum working order, through regular maintenance, all equipment that shall emanate sounds from the structures on site.
 - d) Any plants, trees, or shrubs that have been incorporated into the Landscaping Plan approved in this decision that die within two years from the date of planting shall be replaced by the owner. All plantings and screening depicted on the approved plans shall remain in perpetuity over the life of the project.
 - e) Within five (5) days of the transfer of ownership of this site in whole or in part, the Project Owner shall notify the Community Development Department of the name and address of the new owner(s). The Project Owner shall provide the new owner(s) with a copy of these conditions.
- 7) The Community Development Board hereby reserves the right to serve notice on applicant of a cease-and-desist work order should a violation of the endorsement, the approval, the conditions, or the restrictions be found to exist. Such cease-and-desist work order, when served in writing, directing itself to the violation occurring, shall act to prohibit all work on the areas as mentioned in such order.
- 8) This Site Plan Approval shall be deemed to have lapsed two years after the date of the grant of this approval if a substantial use thereof has not sooner commenced, except for good cause. Such approval may, for good cause, be extended in writing by the Community Development Board upon the written request of the applicant.
- 9) The following documents and plans shall be deemed part of the decision:
- a) Site Development Plans, 501 & 600 Griffin Brook Drive, Methuen, Massachusetts (Assessor's Map 220, Lot 9D & 9E); prepared for Griffin Brook Drive Owner LLC; prepared by The Morin-Cameron Group, Inc.;

dated April 6, 2022, rev. 05-20-2022, as may be further revised by this decision; including the following sheets:

- i) Cover Sheet CS-1
 - ii) General Notes, Legend & Abbreviation Sheet C-1
 - iii) Sheet Index & Erosion Control Sheet C-2
 - iv) Existing Conditions Plan Sheet C-3
 - v) Existing Conditions Plan C-4
 - vi) Site Layout Plan Sheet C-5
 - vii) Grading and Drainage Plan Sheet C-6
 - viii) Drainage Schedule Sheet C-7
 - ix) Utility Plan Sheet C-8
 - x) Erosion Control Details Sheet C-9
 - xi) Site Details Sheet C-10
 - xii) Utility Details Sheet C-11
 - xiii) Drainage Details Sheet C-12
 - xiv) Drainage Details Sheet C-13
 - xv) Drainage Detail Sheets C-14
 - xvi) Drainage Details Sheet C-15
 - xvii) Test Hole Logs Sheet C-16
 - xviii) Landscape Plan Sheet L1.0
 - xix) Landscape Plan Enlargement and Planting Schedules Sheet L1.1
 - xx) Landscape Details, Planting Notes and Planting Schedule Sheet L1.2
 - xxi) Lighting Plan Sheet L2.0
 - xxii) Building Elevation Sheet A1.2
- b) Technical Report in Support of Site Plan Approval, 501 & 600 Griffin Brook Drive, Methuen, Massachusetts; prepared by The Morin-Cameron Group, Inc.; dated April 6, 2022.
- c) Supplemental Information for the Technical Report, 501 & 600 Griffin Brook Drive, Methuen, Massachusetts; prepared by The Morin-Cameron Group, Inc.; dated May 20, 2022.
- d) Traffic Impact and Access Study, Proposed Industrial/Warehouse Building, 600 Griffin Brook Drive, Methuen, MA; prepared for RJ Kelly Co., Inc, prepared by Bayside Engineering, dated April 30, 2022.
- e) Fire Truck Swept Path Analysis Sketch at 501 & 601 Griffin Brook Drive, Methuen, Massachusetts; prepared for Griffin Brook Drive Owner LLC; prepared by The Morin-Cameron Group, Inc.; dated April 6, 2022, rev. May 20, 2022.